

REMARKS

In the Official Action mailed on **1 October 2008**, the Examiner reviewed claims 1-30. Examiner rejected claims 1-10, and 12-30 under 35 U.S.C. § 103(a) based on LaMotta et al. (U.S. Pub. No. 2003/0126018, hereinafter “LaMotta”), in view of Sullivan (U.S. Pub. No. 2003/0055754, hereinafter “Sullivan”). Examiner rejected claim 11 under 35 U.S.C. § 103(a) based on LaMotta, and George (U.S. Patent No. 5,946,668, hereinafter “George”).

Rejections under 35 U.S.C. § 103(a)

Examiner rejected independent claims 1, 15, 19, 23, and 27 as being unpatentable over LaMotta in view of Sullivan. Applicant respectfully disagrees with this rejection. Neither LaMotta nor Sullivan discloses a tax service that is configured to receive tax rules and data in an XML (Extensible Markup Language) format or an EDI (Electronic Data Interchange) format, thus enabling a third party provider, a tax professional, or an end user to enter the tax rules and data in a machine readable format without requiring programming.

LaMotta discloses using an XML-based interface for integrating multiple databases (LaMotta, pars. [0057], [0144]-[0148], [0160]-[0161]). However, the LaMotta system uses XML only to enable communications with ERP (Enterprise Resource Planning) ERP systems:

The database integration application provides an Extensive Markup Language (XML) based integration of the e-Commerce system of the present invention, with various organizations’ Enterprise Resource Planning (ERP) systems, to support product availability, shipping and status information exchange (La Motta, par. [0057]).

In other words, the LaMotta system does **not** use XML to enable entry of tax rules by a third party provider, a tax professional, or an end user. The LaMotta system uses XML to enable database-to-database communication.

Sullivan discloses a tax rate database (Sullivan, Fig. 1: Standard Tax Rate Database 112). Specifically:

The applicable tax rate(s) may be specified by the selling/purchasing system or retrieved from a standard tax rate database 112 which associates a tax rate with a tax situs and a tax type. (Sullivan, par. [0060]).

Nowhere in Sullivan is this tax rate database disclosed as based in XML or EDI or configured to receive tax rules and data in XML or EDI. In other words, Sullivan does **not** disclose a tax service that is configured to receive tax rules and data in an XML or EDI format.

In contrast, embodiments of the present invention include a tax service that is configured to receive tax rules and data in an XML format or an EDI format, thus enabling a third party provider, a tax professional, or an end user to enter the tax rules and data in a machine readable format, without requiring programming (instant application, pars. [0038], [0055], and [0058]). The XML or EDI formats allows new jurisdictional rules to be implemented by merely loading additional data and rules in these formats (instant application, par. [0076]).

Note that LaMotta uses XML for communicating to ERP systems and Sullivan is silent on the format of the database and its configurability for receiving XML or EDI formats. Thus, nothing within LaMotta or Sullivan suggests or implies a tax service that is configured to receive tax rules and data in an XML format or an EDI format, thus enabling a third party provider, a tax professional, or an end user to enter the tax rules and data in a machine readable format without requiring programming.

Accordingly, Applicant has amended independent claims 1, 15, 19, 23, and 27 to clarify the aforementioned features. Support for this amendment is found in instant application, pars. [0038], [0055], [0058], and [0076]. Hence, Applicant respectfully submits that independent claims 1, 15, 19, 23, and 27 as presently amended are in condition for allowance. Applicant also submits that claims 2-14, which depend upon claim 1, claims 16-18, which depend upon claim

15, claims 20-22, which depend upon claim 19, and claims 24-26, which depend upon claim 23, and claims 28-30, which dependent upon claim 27, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By /Shun Yao/
Shun Yao
Registration No. 59,242

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Shun Yao
PARK, VAUGHAN & FLEMING LLP
2820 Fifth Street
Davis, CA 95618-7759
Tel: (530) 759-1667
Fax: (530) 759-1665
Email: shun@parklegal.com